

Chapter 135

ELECTRIC STANDARDS

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[HISTORY: Adopted by the Mayor and Town Council of the Borough of Chambersburg as indicated in article histories. Amendments noted where applicable.]

GENERAL REFERENCES

Building construction — See Ch. 113.

Fire prevention — See Ch. 150.

ARTICLE I Electricians

[Adopted 12-27-1978 by Ord. No. 78-33¹]

§ 135-1. Definitions.

For the purpose of this article, the following words and terms shall have the meanings hereinafter ascribed to them:

1. Editor's Note: This ordinance also superseded Ord. No. 76-38, adopted 2-11-1976, which appeared in the former Code as Ch. VII, Part 1, Electrical Code.

BOARD — The Electricians' Examining Board of the Borough of Chambersburg as hereinafter established.

BOROUGH — The Mayor and Town Council of the Borough of Chambersburg, commonly known as the "Borough of Chambersburg" and/or its duly authorized representative acting in its behalf.

ELECTRICAL WORK — The act of installing, repairing, or removing any electric wiring, electric wiring device(s), or electric appliance(s), as the same are defined herein.

ELECTRIC APPLIANCE — Any electric current-consuming equipment, fixed or portable, using, or intended to use in its operation or control, electric energy at a potential in excess of 50 volts, excepting such portable devices supplied through flexible cords equipped as the same is defined herein.

ELECTRICIAN — Any person performing or assisting in the performance of electrical work as defined above.

ELECTRIC WIRING — Electric conductors of any kind carrying or intended to carry electricity at a potential in excess of 50 volts.

ELECTRIC WIRING DEVICE — Any unit of an electric system which is intended to carry or control, but not consume, electric energy or to enclose, protect, or directly support any such unit(s).

MASTER ELECTRICIAN — An electrician, as defined above, licensed by the Borough as hereinafter provided, who is responsible for the performance of and/or supervision and direction of others in the performance of electrical work as defined above.

PERSON — Any individual, firm, corporation, association, or company.

REGULATED ELECTRICAL WORK — The act of installing any electric wiring or electric appliance(s) included in the following schedule:

- A. Electric wiring in any new structure or building or part thereof.
- B. Electric wiring or appliance(s) which will require any change in the Borough's electric metering equipment for any reason.
- C. Electric wiring or appliance(s) of any of the following types, or electric wiring intended to serve any such appliance(s):
 - (1) Electric range, storage water heater, or clothes dryer.
 - (2) Oil burner, gas burner, or coal stoker operated or controlled by electricity at a potential in excess of 50 volts.
 - (3) Electric heater of any kind rated in excess of 1,800 watts.
 - (4) Air conditioner, water chiller, heat pump, domestic or commercial refrigerator, or fan operated by an electric motor rated in excess of 1/2 horsepower or controlled through wiring external to the unit itself at a potential in excess of 50 volts.

- (5) Electric motor-driven equipment of any kind rated in excess of one horsepower.
 - (6) Electric wiring or equipment of any kind installed under any of the conditions listed in the National Electric Code under the heading "Hazardous Locations."
 - (7) Electric wiring or equipment of any kind intended for operation at a potential in excess of 600 volts.
 - (8) The installation or rearrangement of any electric circuit rated at more than 15 amperes.
- D. Electric wiring, electric wiring devices, and electric appliances owned by the Borough of Chambersburg or by a corporation furnishing communication or railroad transportation service to the public or by any instrumentality of the United States of America are excluded from the terms of the above definitions.

TOWN COUNCIL — The Town Council of the Borough of Chambersburg.

§ 135-2. License required.

No person not licensed as a master electrician by the Borough of Chambersburg, as hereinafter provided, shall do any electrical work within the corporate limits of the Borough, except that the work of a person working under the immediate supervision of such a licensed master electrician, and actually employed by him or by the master electrician's employer, shall be deemed to be the work of the master electrician, and the master electrician shall be responsible for the work of such person. Under no circumstances shall any electrician assume responsibility for electrical work done by any other person except as provided above.

§ 135-3. Licensing procedure.

- A. Any person who shall desire to obtain a license as a master electrician shall apply in writing to the Manager of Utilities of the Borough of Chambersburg on a form to be provided for that purpose, furnishing all information required thereon, and shall pay an application fee in accordance with the schedule.
- B. Applications shall be accepted only from natural persons. Such application shall thereupon be referred to the Electricians' Examining Board for consideration at its next regular meeting. If the Electricians' Examining Board, as hereinafter constituted, shall, after consideration of the training, experience (minimum of two years), and integrity of the applicant, deem such applicant to be qualified for examination, the applicant shall be examined by the Board as to his skill and knowledge of the requirements of the trade of master electrician. If, by such examination, the applicant evidences to the satisfaction of the Board that he is competent to practice the electrician's trade, he shall be granted a license as a master electrician and shall be entitled to practice the trade of master electrician in the Borough of Chambersburg and shall be subject to all of the privileges, responsibilities and duties which have been and which may hereafter be established for such licensees by the Borough of Chambersburg.

- (1) Except as provided hereinafter, the license of a master electrician shall be valid during the lifetime of the holder thereof unless sooner suspended or revoked, subject to annual registration as hereinafter required.
- (2) If an applicant shall fail to pass the qualifying examination he may upon request be re-examined at a later regular examination (but not sooner than six months) upon payment of a fee in accordance with fee schedule for each such re-examination.
- (3) No additional fee shall be required for the issuance of a license to a successful candidate and for registration for the balance of the then-current year. If the Board in its discretion does not accept an applicant for examination, the fee paid by the applicant shall be returned to him. All sums received from electrician's license, examination and registration fees shall be credited to the general receipts of the Electric Department of the Borough.

§ 135-4. Reciprocal licenses.

Any person who has been satisfactorily tested and licensed by another municipality whose requirements are comparable to those of the Borough of Chambersburg may be granted a master electrician's license upon presentation of said license, together with a fee according to the fee schedule. Such electrician is bound by all other rules and regulations governing master electricians.

§ 135-5. Special licenses.

Any person who shall furnish evidence satisfactory to the Electricians' Examining Board of his skill, experience, and current active practice as an electrician, as indicated by a license issued by another municipality or other comparable evidence, may, upon payment of a fee according to the fee schedule, be granted a special license as master electrician which shall entitle the holder thereof to perform and/or supervise and direct the electrical work involved in a single specified contract job. Each such special license shall designate the work for which it was issued and shall become void upon the completion of said work. Such special license may be suspended or revoked for cause. A special license may also be issued as provided in § 135-9 hereof.

§ 135-6. Limited licenses. [Amended 8-10-1983 by Ord. No. 83-12]

- A. Plant license. A firm or other establishment ("employer") which employs on a full-time basis a person competent to perform routine electrical work within its own plant may request in writing that said employee be issued a limited license as master electrician, and the Electricians' Examining Board may, at its discretion, issue said limited license, under such terms as it may prescribe, upon payment of a fee according to the fee schedule. An examination may be required by the Board to determine the competence of the applicant. Said limited license shall entitle the holder thereof to perform and/or supervise and direct electrical work on the premises of his employer, and not elsewhere, as long as he remains a full-time employee of said employer, and said license shall become void upon termination of said employment. Such limited license shall not

authorize the holder thereof to supervise or assume responsibility for electrical work performed by any person not a bona fide employee of said employer.

- B. Electric water heater (EWH) license. The EWH license shall be issued to a Borough of Chambersburg master plumber for the purpose of connecting an electric storage-type water heater to a building's electric wiring. This license shall not entitle the licensee to perform any electric work other than specified herein. The master plumber must successfully pass an examination on installation of electric water heaters before receiving his EWH license.

§ 135-7. Registration; revocation or suspension of license.

- A. Each licensed master electrician, including each holder of a limited license, shall be subject to registration on a calendar-year basis. Each licensee wishing to continue in the practice of his trade as an electrician shall, prior to the first day of January of each year, apply at the office of the Manager of Utilities for the registration of his license for the ensuing calendar year and shall pay a fee in accordance with the fee schedule. Any electrician whose license has not been properly reregistered shall be considered as an unlicensed person. Any licensee changing the address of his place of business shall notify the office of the Manager of Utilities promptly of such change. A registry shall be kept by the Manager of Utilities of all persons holding licenses as master electricians which shall indicate the address and the current status of the registration of the holder thereof.
- B. The license of a master electrician may be revoked or suspended for cause by the Electricians' Examining Board, subject to the right of appeal to Town Council.

§ 135-8. Certification. [Amended 8-10-1983 by Ord. No. 83-12]

Each licensee, other than those to whom a limited license, reciprocal license, or a special license has been issued, shall be issued a permanent certificate showing that he has been granted a license as a master electrician by the Borough of Chambersburg and an annually renewed pocket card showing that his license is registered for the current year. Such new card shall be issued each year to each licensee upon payment of the fee aforesaid. An electrician may allow his license to lapse for a period no longer than five years and during the same period request the reregistration thereof upon payment of the required fee without penalty or examination, provided that he does not practice his trade within the terms of this article during the time his license has lapsed. After the five years have elapsed, the applicant must be re-examined as a new applicant. Licenses issued during the last three calendar months of the year shall be considered valid for the next year.

§ 135-9. Special license for continuation of business.

In the event that a registered master electrician shall die or become incapacitated, the Electricians' Examining Board may in its discretion issue a special license to a qualified representative of the business enterprise operated by said electrician authorizing such representative to continue the business thereof for a period not longer than 12 months.

§ 135-10. Standards for electrical work; inspections. [Amended 8-10-1983 by Ord. No. 83-12; 11-10-1993 by Ord. No. 93-12]

- A. Adoption of code. The current edition of the National Electrical Code (1993 edition), copies of which are on file in the office of the Borough Secretary, is hereby adopted as the Electrical Code of the Borough of Chambersburg, Commonwealth of Pennsylvania, for the regulation of all matters concerning electrical work as therein provided. Hereafter, the applicable Electrical Code for the Borough of Chambersburg shall be at all times the most recent edition of the National Electrical Code without the necessity of a special ordinance adopting each new edition as published. The effective date of each revision shall be the first day of June of the year listed in the code edition. The Electrical Code shall be deemed to represent minimum standards for the design and installation of electric work. Rules in these rules and regulations more stringent than those in the National Electrical Code shall be followed where applicable. No electrical work shall be installed or approved which does not meet and/or conform to or exceed the requirements thereof.
- B. All regulated electrical work shall be inspected within 10 days after completion for conformity with the code by a proper representative of a Borough-approved, industry-recognized inspection agency. All fees for such inspections shall be paid by the electrician. All inspectors approved to make inspections in the Borough of Chambersburg must possess a master electrician's license.
- C. No newly wired premises shall be connected to the electrical system within the Borough until such installation has been approved by an authorized inspection agency. Temporary electrical service may be furnished provided the wiring of the building is not energized thereby.
- D. Continued failure on the part of an electrician to rectify defects in his work which have been reported as violations of the code by an approved inspector shall constitute a violation of these rules and regulations.

§ 135-11. Electricians' Examining Board.

- A. There is hereby constituted an Electricians' Examining Board whose duty it shall be to examine applicants for licensure by the Borough as master electricians and to certify the names of those applicants who qualify for such licensure as hereinbefore provided and to perform such other duties as are herein prescribed. Such Board shall be composed of five members who shall serve without compensation, appointed by Town Council at the organization meeting of Town Council in January every even year, who shall serve until the next organization meeting or until their successors are appointed unless sooner removed by action of Town Council. All vacancies in the Board shall be filled by motion passed by Town Council. The Electricians' Examining Board shall exercise general oversight over the interpretation, administration and enforcement of these rules and regulations and may submit recommendations to the Town Council for action relating thereto.
- B. The Board shall establish such reasonable minimum requirements of training and experience for applicants for licensure as it may deem proper. The Board shall elect from

among its members a Chairman and a Secretary who shall perform the duties usually associated with such offices. Proper records of all formal actions of the Board shall be kept by the Secretary.

- C. The Electricians' Examining Board shall meet during the first month of each semiannual calendar period to consider applications for licenses which have been submitted to it and shall conduct examinations of such applications as it deems proper. Notice of the time and place of the examination shall be given to each applicant at least seven days prior to the date of the examination. The Chairman of the Electricians' Examining Board may call such special meetings of the Board as he may deem proper, giving not less than 24 hours' notice to all members.

§ 135-12. Bonding. [Amended 8-10-1983 by Ord. No. 83-12; 11-10-1993 by Ord. No. 93-12]

- A. Each master electrician shall obtain and maintain a performance and surety bond in the amount of \$10,000 with an acceptable bonding company. Revocation or cancellation of the bond shall disqualify a master electrician from performing wiring under his license until such time as it is reinstated or another bond is obtained.
- B. A bond shall be required for renewal of licenses for the calendar year 1994 and all new licenses issued after December 31, 1993.

§ 135-13. Violations and penalties.

- A. Any person who shall violate any provision of these rules and regulations shall upon conviction thereof, be sentenced to pay a fine of not more than \$300, and costs of prosecution, and, in default of payment of such fine and costs, to imprisonment for not more than 30 days. In case of continued violation each day the violation continues may constitute a separate violation.
- B. The conviction of a master electrician of any violation of these rules and regulations shall be cause for suspension or revocation of said electrician's license by the Electricians' Examining Board. A suspended or revoked license may be reinstated by the Electricians' Examining Board at its discretion under such terms as it may determine.

ARTICLE II

Electric Rates

[Adopted 3-8-1995 by Ord. No. 95-6]

§ 135-14. Definitions.

For the purpose of this article, the following words and terms shall have the meanings ascribed to them:

BILLING DEMAND — The highest averaged metered rate of use of electric energy for any fifteen-minute interval expressed in whole kilowatts times 0.90 divided by the average power

factor. The average power factor is determined from standard tables based upon the active and reactive components of the energy furnished.

BILLING PERIOD — The interval of time between two successive bills; under normal conditions, it will be approximately 30 days.

BOROUGH — The Mayor and Town Council of the Borough of Chambersburg, commonly known as the "Borough of Chambersburg" and/or its duly authorized representative acting in its behalf.

COMMERCIAL OR INDUSTRIAL ESTABLISHMENT — Any business, commercial or professional undertaking functioning independently of other undertakings, whether located upon a separate parcel of land or upon the same parcel of land or within the same building or structure with other establishments.

DWELLING UNIT — A separate dwelling unit, apartment, room or group of rooms used for separate dwelling purposes and equipped for the preparation of food. In all cases, the determination of the Borough as to what constitutes a separate dwelling unit shall be final.

NATIONAL HOLIDAY — The following holidays on the date recognized by the federal government: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

PERSON — Any individual, firm, corporation, association or company.

RESIDENTIAL PREMISES — Premises which are used solely for dwelling purposes and other normal residential activity. Residential premises with publicly advertised commercial operations shall be considered commercial establishments.

USER — Any person as defined above owning any property served with electricity from the electric distribution system of the Borough. The user may designate that any person occupying his property receive the bills for electric power service to that property.

§ 135-15. Rates. [Amended 7-14-1999 by Ord. No. 99-13; 4-26-2004 by Ord. No. 2004-5]

A. Domestic rate (201), domestic heat rate (218).

- (1) Availability. The domestic rate shall be available for usual domestic purposes in residential premises only.
- (2) Rates. The following rates shall be charged for electric energy furnished under domestic rate:
 - (a) Customer charge: \$4.40 net per meter, per billing period.
 - (b) Energy charge: all kilowatt-hours per billing period per kilowatt-hour. Net: \$0.0673.
 - (c) Power supply adjustment charge: in accordance with § 135-16 of this article.

B. Domestic water heating rate (211), commercial water heating rate (212).

- (1) Availability. The water heating rate shall be available for energy furnished for electric water-heating purposes subject to the following restrictions:
 - (a) Service under the rate shall be available only to storage-type water heaters of not less than 52 gallons or more than six kilowatts.
 - (b) Each water heater shall conform to all Borough plumbing codes.
 - (c) Service shall be rendered at single-phase 208 or 240 volts, as available, through a separate meter, and no other energy-consuming devices shall be supplied through the meter.
 - (2) Rates. The following rates shall be charged for electric energy furnished under the water heating rate:
 - (a) Customer charge: \$1.50 net per meter, per billing period.
 - (b) Energy charge: all kilowatt-hours per billing period per kilowatt-hour. Net: \$0.0648.
 - (c) Power supply adjustment charge: in accordance with § 135-16 of this article.
- C. Secondary power rate (221), with demand (225); commercial heating rate (231), with demand (235); Borough use (282), with demand (285).
- (1) Availability. The secondary power rate shall be available to any customer for general use that does not qualify for other rates. Secondary rates shall be provided at voltages less than 4,000 volts.
 - (2) Rates. The following rates shall be charged for electric energy under the secondary power rate:
 - (a) Customer charge: \$10 net per meter, per billing period.
 - (b) Demand charge (229, 239, 289)

	Net
First 20 kilowatts	No charge
All over 20 kilowatts per kilowatt billing demand	\$8.45

- (c) Energy charge:

	Net
First 7,000 kilowatt-hours per kilowatt-hour each billing period	\$0.0666
All kilowatt-hours over 7,000 kilowatt-hours per kilowatt-hour each billing period	\$0.0394

	Net
If not demand metered, all kilowatt-hours per kilowatt-hour each billing period	\$0.0625

(d) Power supply adjustment charge: in accordance with § 135-16 of this article.

D. Secondary off-peak demand rate (241).

- (1) Availability. The secondary off-peak demand rate shall be available to customers eligible for secondary power rate whose maximum demand regularly occurs during off-peak hours under the following condition:
 - (a) Service under this rate shall be available to three-phase, four-wire users with a billing demand of not less than 20 kilowatts.
 - (b) Metering equipment shall be specified and approved by the Borough and furnished, installed, owned and maintained at the expense of the user under Borough control.
 - (c) "Off-peak" hours shall be defined as those hours between 10:00 p.m. and 7:00 a.m. prevailing time, Mondays through Fridays, and all day Saturdays, Sundays and national holidays. These dates and hours are subject to change upon ninety-day advance notice by Borough.

This secondary off-peak demand rate (241) shall not be available to any new customers after May 3, 2004, and shall expire on such date when all current customers taking service at this rate are transferred to a different rate offered by the Borough, when all accounts currently being served under this rate are closed, or when the Borough terminates this rate class.

- (2) Rates. The following rates shall be charged for electric energy furnished under secondary off-peak rate:
 - (a) Customer charge: \$20 net per meter, per billing period.
 - (b) Demand charge (249) during other than off-peak hours:

	Net
First 20 kilowatts per kilowatt per billing period	No charge
All over 20 kilowatts per kilowatt per billing period	\$12.50

The billing demand shall not be less for any billing period than 50% of the highest billing period demand established during the previous 11 billing periods.

Demand charge (249) during off-peak hours is \$0.

(c) Energy charge:

	Net
First 7,000 kilowatt-hours per billing period	\$0.0625
All over 7,000 kilowatt-hours per kilowatt per billing period	\$0.0353

(d) Power supply adjustment charge: in accordance with § 135-16 of this article.

E. Primary power rate (251).

- (1) Availability. The primary power rate shall be available to large-use lighting, power and general purposes under the following conditions:
 - (a) Service under this rate shall be available at nominal voltage of 4,160 volts or higher, four-wire, three-phase and shall be metered at such a voltage.
 - (b) All facilities on the customer's premises required to deliver power to user equipment shall be furnished, installed, owned and maintained by the customer and approved by the Department.
 - (c) Metering equipment shall be provided by the Borough to measure the active and reactive components of the energy furnished and the demand or maximum rate of use of energy.
- (2) Rates. The following rates shall be charges for electric energy furnished under the primary power rate:
 - (a) Customer charge: \$100 net per meter, per billing period.
 - (b) Demand charge (259): \$5.30 net per kilowatts, per billing period. The billing demand shall not be less for any billing period than 50% of the highest billing period demand established during the previous 11 billing periods.
 - (c) Energy charge: \$0.0405 net per kilowatt-hours, per billing period.
 - (d) Power supply adjustment charge in accordance with § 135-16 of this article.

F. Primary power off-peak demand rate (255).

- (1) Availability. The primary power off-peak demand rate shall be available to users eligible to use the primary power rate under the following conditions:
 - (a) Service under this rate shall be available only to 4,160 volts or higher, four-wire, three-phase users with a billing demand of not less than 100 kilowatts and shall be metered at such voltage.
 - (b) Metering equipment shall be specified and approved by the Borough and furnished, installed, owned and maintained at the expense of the user under Borough control. The equipment shall measure the active and reactive

components of the energy furnished and the demand or maximum rate of use of energy and the time of occurrence thereof.

- (c) "Off-peak" hours shall be defined as those hours between 10:00 p.m. and 7:00 a.m. prevailing time, Mondays through Fridays, and all day Saturdays, Sundays and national holidays. These dates and hours are subject to change upon ninety-day advance notice by Borough.
 - (d) All facilities on customer's premises required to deliver power to user equipment shall be furnished, installed, owned and maintained by the customer and approved by the Department.
- (2) Rates. The following rates shall be charged for electric power furnished under the primary off-peak demand rate:
- (a) Customer charge: \$120 net per meter, per billing period.
 - (b) Demand charge during other than off-peak hours: All kilowatts per billing period: \$12.50 net. The billing demand shall not be less for any billing period than 65% of the highest billing period demand established during the previous 11 billing periods.
 - (c) Energy charge: \$0.0315 net per kilowatt-hour per billing period.
 - (d) Power supply adjustment charge: in accordance with § 135-16 of this article.

G. Area lighting rate -- Borough-owned (260 - 270).

- (1) Availability. The area lighting rate shall be available for private area lighting service from the existing overhead system of the Borough.
- (2) Charges under this rate.
 - (a) High-pressure sodium -- standard:

Watts	Net per Fixture per Billing Period
100	\$7.26
250	\$12.76
400	\$19.80
1,000	\$29.32

- (b) Mercury vapor:

Watts	Net per Fixture per Billing Period
175	\$6.16
250	\$9.90

Watts	Net per Fixture per Billing Period
400	\$12.49
1,000	\$25.19

(c) High-Pressure sodium -- flood:

Watts	Net per Fixture per Billing Period
100	\$9.35
250	\$21.84
400	\$25.96

- (3) The Borough will provide lamp, photoelectric relay control equipment, luminaire, and upsweep arm not over six feet in length and will mount the same on an existing pole carrying secondary circuits or on some other surface deemed acceptable by the Borough. When facilities in addition to those listed above are required to provide area lighting, the customer will pay in advance the cost of installing all such facilities.
- (4) Terms of contract. Service is sold for area lighting under contract to take continuous service under this rate for a minimum period of three years; provided, however, the Borough may discontinue this service at any time in the event the light is deemed by the Borough to constitute a nuisance to adjoining properties.
- (5) Rules and regulations applying to this service.
 - (a) All facilities necessary for rendering this service shall be owned and maintained by the Borough. Maintenance shall be performed at such time as regular (not overtime) work schedule permits.
 - (b) Burning hours shall be from approximately dusk to dawn each night aggregating about 4,000 hours per year. Subject to the approval of the Borough, customers may select the location of all poles installed on the customer's property under provisions of this rate ordinance, and poles will be moved after installation on advance payment by the customer of the cost of moving. All pole locations shall conform to safety standards governing such installations. Customers shall be responsible for all damages to, or loss of, the Borough property located on the customer's premises.
- (6) Notwithstanding the three-year contract terms, the Borough may by ordinance change at any time the level of rates to be charged for area lights already in place.

H. Area lighting rate -- customer-installed (272 - 277).

- (1) Availability. The customer-installed area lighting rate shall be available from existing underground or overhead electrical distribution system when installed in accordance with Borough Electric Department standards.
- (2) Charges under this rate. Charges apply to approved pole-mounted and post-mounted luminaires and area floodlights.
 - (a) High-pressure sodium, mercury vapor, or metal halide:

Watts	Net per Fixture per Billing Period
100	\$4.73
150	\$6.00
175	\$6.16
250	\$7.65
400	\$10.62
1,000	\$20.63

- (3) Installation. The customer will provide and install at the customer's expense the complete luminaire, lamps, photoelectric control, wire and post and/or bracket(s) in accordance with the Borough's material and installation specifications. Borough Electric personnel will connect customer-installed power feed wires to unmetered source of electricity, at no expense to customer.
- (4) Maintenance. The Borough will supply electricity to operate luminaries. Following initial successful operation Borough will supply normal relamping, normal photoelectric control replacement, replacement of lens, miscellaneous hardware and repair of exposed conduit on electric supply pole at Borough expense during regular business hours. All other maintenance expenses not listed as Borough expense shall be customer's responsibility, such as filling of settled trenches and pole plumbing, etc.
- (5) Replacement. If luminaire, pole, underground conduit, or electric supply wire require replacement either through damage or normal life expectancy, such replacement shall be at the customer's expense, either by customer-hired contractor, or by Borough personnel; whichever is preferable to customer at time of replacement. Whether a customer elects to replace units using his contractor or Borough personnel, the customer shall be responsible for collecting any insurance reimbursement which he may be due.
- (6) Terms of contract.
 - (a) Services sold under this contract are to take continuous service for a period of two years; provided, however, the Borough may discontinue this service at any time in the event the light is deemed by the Borough to constitute a nuisance to adjoining properties. Upon discontinuance of service, it shall be the customer's responsibility to do with the luminaire as he so chooses.

- (b) Notwithstanding the two-year contract terms, the Borough may, by ordinance, change at any time the level of rates to be charged for area lighting already in place.
- (7) Ownership. This installation remains the property of the customer, and the customer assumes all liabilities arising from installations covered by this contract.
- I. Special rates. The Borough may enter into agreement to furnish electric power to users with unique needs and characteristics, such as high voltage, not described in existing rate schedules at mutually agreed to conditions and rates.
- J. Load curtailment rider (LCR).
 - (1) Purpose.
 - (a) The purpose of this load curtailment rider (LCR) is to provide economic incentives for eligible customers to reduce, shift, or otherwise manage electrical usage during times of high wholesale electricity prices and/or peak loads. Reduction of electrical usage during high wholesale electricity prices and/or peak loads will lower the Borough's overall wholesale power costs, thus benefiting customers of the Borough. The savings (or costs) that result from an LCR participant's actions and/or load characteristics shall be passed on as an LCR credit.
 - (b) The difference between the monthly average cost to the Borough for electrically serving the individual participant and the average remaining Borough power supply cost for non-LCR participants will be passed through to the LCR participant as a credit or charge. In the event that the average cost to serve the LCR participant is higher than the average remaining Borough non-LCR participants' power supply cost, a charge will be passed through to the LCR participant.
 - (2) Availability.
 - (a) This LCR is experimental and provisional and will terminate no later than April 30, 2005, unless the Borough extends the LCR beyond the termination date. Any extension and/or subsequent revisions will be at the sole discretion of the Borough. If at any time during the effective period the Borough judges the LCR to be detrimental to any other customer(s) or to the Borough, the Borough may terminate and/or modify the LCR with one-month notice to the participants.
 - (b) To be eligible for participation in the LCR, a customer must have the following characteristics or have successfully instituted load and/or energy program(s) that result in demonstrated cost reductions to the Borough:
 - [1] Have at least 1,000 kilowatts of peak electrical load available for curtailment during times of high wholesale electricity prices and/or peak load;
 - [2] Possess an average monthly load factor of at least 65%; and/or

- [3] Possess electrical load characteristics that, through active management, scheduling, and operations can reduce the overall power supply costs to the Borough.
- (c) Customers interested in participating in the LCR program must certify their eligibility to participate in accordance with the provisions of this LCR and shall execute with the Borough a load curtailment rider agreement (LCRA). The minimum term for participation shall be 12 months from the date of signing the LCRA; April 30, 2005; or the termination date of the LCR program as determined by the Borough, whichever occurs first. In the event the Borough extends and/or revises the LCR program, the twelve-month minimum participation term will prevail.
- (3) Metering. Customers eligible for participation in the LCR program shall have metering equipment installed by the Town that measures and records electrical usage on an hourly basis (interval metering). Customers wishing to participate in this LCR who do not have such metering equipment may request the metering equipment from the Borough. Upon such request, the Borough shall provide the customer with an estimate of the increased cost of the metering. Upon approval by the customer, the Borough will install such metering equipment and bill the customer for the cost of installation. At the Borough's option the cost of the metering and installation may be billed to the customer in 12 equal monthly payments.
- (4) Application of LCR credits and charges.
- (a) On a monthly basis, each LCR participant will be evaluated for its contribution to total Borough power supply cost. The contribution and allocation of a participant's share of total Borough power supply costs will be determined, where applicable, on an hourly basis to quantify cost to the Borough for electrically serving the individual participant. All calculations and methodologies used in the determination of the participant's share in total Borough power supply cost will be established solely by the Borough. The Borough will employ good utility practice in the calculation of such cost.
- (b) Once the LCR participant's per-kilowatt-hour share of the total Borough power supply cost is determined, the participant's per kilowatt-hour share will be compared to the remaining average Borough power supply cost per kilowatt-hour (excluding all LCR participants' cost shares). The differential (positive or negative) between the participant's share of the total Borough power supply cost and the Borough's remaining average power supply cost will be applied as a credit or a charge to the kilowatt-hour usage of the participant.
- (c) The LCR credit or charge will be calculated on a monthly basis as follows:

$$\text{LCR Credit/Charge} = \left[\left(\frac{\text{PCS}}{\text{PS}} \right) - \left(\frac{\text{BC} - \text{SPCS}}{\text{BRS} - \text{SPS}} \right) \right] * \text{PS}$$

Definitions:

PCS = The LCR participant's share of total Borough power supply costs.
(Participant's Cost Share)

PS = Retail kilowatt-hours sold to the LCR participant. (Participant Sales)

BC = The total Borough power supply cost. (Borough Cost)

SPCS = The cumulative LCR participants' shares of total Borough power supply costs. (Sum of Participants' Cost Share)

BRS = Total retail kilowatt-hour sales of the Borough. (Borough Retail Sales)

SPS = Sum of Retail kilowatt-hour sold to the cumulative LCR participants.
(Sum of Participant Retail Sales)

- (5) Administration. The resulting LCR credit or charge will be applied to the participant's electric bill in the following month. Based upon meter reading dates and billing cycles, the LCR credit or charge may appear on the participant's bill up to two months following the electric usage. Due to the additional costs of monthly cost evaluations and administration of the LCR program, a monthly fee of \$250.00 will be applied to the monthly electric bills of the participant.

§ 135-16. Power supply adjustment (PSA) charge. [Amended 4-26-2004 by Ord. No. 2004-5]

- A. Each and every rate contained in this article is subject to a power supply adjustment (PSA) and supplants the purchased power cost adjustment.
- B. The PSA is an amount per kilowatt-hour to be added to or subtracted from customers' billing each month so that increases or decreases in costs of purchased power, fuel, lube and other costs of generated power, and other costs deemed appropriate by the Borough, will be collected or credited.
- C. The PSA charge or credit shall be used for each month of a twelve-month forecasted period unless a "relevelization" is required and implemented by the Borough, at its sole discretion. A relevelization may be required if:
- (1) The Borough's wholesale supplier of purchased power has a rate change that goes into effect during the period;
 - (2) The actual recovery of PSA costs is not in the range of 3% (plus or minus) of the total twelve-month forecasted amount; or
 - (3) A PSA forecast revision is required due to unforeseen circumstances such as dramatic increases in fuel, lube and other costs of generated power, costs of purchased power, and other costs deemed appropriate by the Borough, material increases or decreases in the number of customers, or if a material error in computing the PSA forecast is discovered.
- D. The Borough will monitor the PSA collection of revenues on a monthly basis.

- E. At the end of the forecasted twelve-month period, or a shorter period if a relevelization is required, the Borough may, at its discretion, incorporate any over-collection or under-collection of power supply costs in the projected power supply costs for the new forecasted twelve-month period.
- F. Calculation. The PSA stated to the nearest \$0.0001 per kilowatt-hour will be determined by utilizing the following formula:

$$PSA = \left(\frac{PP + G - DA}{S - SDA} \right) + \frac{DC}{S} - \text{Base}$$

Definitions:

PP = The total forecasted costs of purchased power for the PSA forecast year.
(Purchased Power)

G = The total forecasted fuel, lube and other costs of generated power for the PSA forecast year. (Generation)

DA = The total net directly allocated costs resulting from programs or retail rate riders implemented by the Borough that directly assign power supply costs to individual customers or programs. (Direct Assignment)

DC = Additional discretionary costs or programs deemed appropriate by the Borough.
(Discretionary Costs)

S = Forecasted retail kilowatt-hours sold. (Sold)

SDA = Forecasted retail kilowatt-hours sold to participants in programs or retail rate riders implemented by the Borough that directly assign power supply costs to individual customers or programs. (Sales Direct Assignment)

Base = The total purchased power expense per kilowatt-hours included in the current retail base rates. (Base = \$0.0429, effective March 8, 1995.)

§ 135-17. Terms of payment for residential services.

Bills will be rendered for electric service to residential premises in accordance with the Residential Utility Services Manual as may be revised from time to time by the Mayor and Town Council and shall be available to the public at the Utility Offices at Borough Hall and at the Utilities Service Center, 80 South Franklin Street.

§ 135-18. Terms of payment for nonresidential services.

- A. Bills for electric service will be issued at intervals of approximately 30 days, and charges shall be payable at the Borough offices on a net basis to and including the due date shown on the bill rendered. Thereafter the gross bill shall become due and payable. Failure to receive a bill shall not entitle a user to an extension of time for payment. Any

user whose account for utility service is in arrears shall pay the gross amount of each bill until all outstanding indebtedness is paid.

- B. Failure to pay all charges within 14 days after the gross bill becomes due shall be cause for termination of electric service until payment is made of all outstanding charges for utility service. If service is terminated under these conditions a reconnection charge to be established by resolution of Town Council shall be paid before service is restored. If an employee of the Borough visits the user's premises to deliver a notice, collect the amount due and/or terminate the service, a service charge to be established by resolution of Town Council shall be assessed for each visit.
- C. Each user shall pay for electric service furnished to his premises until proper notice has been given to the Borough to discontinue service and for a reasonable time thereafter to enable the Borough to read its meter at its premises. When service is discontinued at any user's premises, a bill for service will be rendered promptly and shall be payable on a net basis to and including the due date shown on the bill rendered and on a gross basis thereafter.

§ 135-19. Regulations under which electricity will be furnished.

Rules and regulations under which electric service shall be rendered to customers shall be approved by resolution from time to time by the Mayor and Town Council of the Borough of Chambersburg and shall be available to the public at the Utility Offices at Borough Hall and at the Utilities Service Center, 80 South Franklin Street.

§ 135-20. Penalty. [Added 4-26-2004 by Ord. No. 2004-5]

The penalty added after the due date will be 2.5%.

§ 135-21. Effective date. [Amended 4-26-2004 by Ord. No. 2004-5]

The rates established by this article shall become effective with all electric service bills rendered on or after May 3, 2004.

§ 135-22. Short title. [Amended 4-26-2004 by Ord. No. 2004-5]

This article may be cited as the "Borough of Chambersburg Electric Rate Ordinance of 2004."

§ 135-23. Aggregation of Retail Customer Demand Response. [Added 1-26-2009 by Ord. No. 2009-02]

- A. The Borough of Chambersburg or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by the Borough of Chambersburg directly into any Commission-approved independent system operator's or regional transmission organization's organized electric markets. Any other demand response aggregation of retail customers is prohibited. Retail customers served by the Borough of Chambersburg may not bid their demand response into any

Commission-approved independent system operator's or regional transmission organization's organized electric markets except as part of a program provided by the Borough of Chambersburg or its authorized designee. The Borough of Chambersburg is not required to have a retail demand response aggregation program.

- B. Retail customers served by the Borough of Chambersburg wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized electric markets may do so only by participating in a program established by the Borough of Chambersburg or its authorized designee.

§ 135-24. Ancillary Services Provided by Demand Response Resources. [Added 1-26-2009 by Ord. No. 2009-02]

- A. The Borough of Chambersburg or its authorized designee is the sole entity permitted to bid demand response on behalf of retail customers served by Borough of Chambersburg directly into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff). Retail customers served by the Borough of Chambersburg may not bid demand response into any Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff) except as part of a program provided by the Borough of Chambersburg or its authorized designee.
- B. Retail customers served by the Borough of Chambersburg wishing to bid their demand response into a Commission-approved independent system operator's or regional transmission organization's organized markets for energy imbalance, spinning reserves, supplemental reserves, reactive power and voltage control, or regulation and frequency response ancillary services (or its functional equivalent in the Commission-approved independent system operator's or regional transmission organization's tariff) may only do so by participating in a program, if any, established by the Borough of Chambersburg or its authorized designee.